

MICHIGAN TOWING ASSOCIATION, INC.

436 N. CENTER STREET, P.O. BOX 220
NORTHVILLE, MI 48167-0220
(248) 348-4433
Fax (248) 348-7364
Website: www.michtow.org
Membership Website: www.michtow.com

WILLIAM BYERS
President – Rochester

DENNIS BREWER
Vice President – Ann Arbor

WILLIAM F. KERNS
Secretary – Manchester

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Statement of Bill Byers, President, Michigan Towing Association On House Bill 4839

Good morning Mister Chairman and committee members, my name is Bill Byers and I am president of the Michigan Towing Association. Thank you for considering of House Bill 4839 today. I am here today to speak in support of this legislation.

House Bill 4839 is the continued evolution of changes, updates and modifications to the abandoned vehicle processing that occurred in 2004. Now several years later, we are again before you to clean up some issues that we missed in 2004. We spent over a year meeting with both the Michigan State Police and the Secretary of State to discuss and negotiate these changes. It is my belief that both will be turning in cards of support today.

First and foremost, House Bill 4839 provides a number of safeguards and protections to vehicle owners that have the vehicle taken into custody. Many of these safeguards were not contemplated back in 2004.

For example, in the bill before you, we provide judges more authority to hold towers and property owners accountable for improper tows.

- Changes to 252e would permit the courts to determine whether a tower or a property owner complied with procedures for the proper removal and reporting of a vehicle abandoned on private property.
- Furthermore, the courts will now be able to order restitution to the vehicle owner if the tower or the property owner did not comply with the provisions of the Act. This is something that was not included when we revamped the law in 2004.
- Additionally, safeguards were added limiting the number of miles that a vehicle impounded from private property could be stored to no more than 15 miles from the border of the municipality having jurisdiction over the tow.

- Language was inserted requiring a tower to initiate the abandoned vehicle process for vehicles that were brought in as accidents and then subsequently abandoned on the property of the tower. This is to prevent storage fees from exploding.

In addition to the consumer protections, the bill before you contains a number of technical revisions in areas that needed further clarification.

- For example, language was inserted requiring a tow company to provide reasonable notice to a law enforcement agency when a vehicle is being removed from private property.
- Language was inserted to clarify that a vehicle taken into immediate custody under the belief that it was stolen, used in the commission of a crime, or involved in an accident must first be released by the agency *prior* to allowing the owner to recover the vehicle
- Language was inserted to permit the immediate removal of a vehicle that has been involved in a traffic accident that cannot be safely operated from the scene.

Finally, language was inserted to permit towers to obtain the name and address of an vehicle owner who was unlawfully abandoned a vehicle for the purpose of attempting to collect towing and storage fees as is currently permitted under the Act.

In closing, I ask that you support this legislation and thank you for your consideration.

I am happy to answer any questions.